

SUPPORT FOR THE AMENDMENTS

The amendments to the claims are supported by the specification, particularly page 31. Accordingly, no new matter is believed to have been added to the present application by the amendments submitted above.

REMARKS

Claims 9 and 11-14 are pending. Favorable reconsideration is respectfully requested.

Applicants would like to thank Examiner Slobodyansky for the helpful and courteous discussion held with their representative on June 29, 2007. During the discussion, amendments and arguments to overcome the outstanding rejections were discussed. The following remarks expand on the discussion with the Examiner.

The rejections of the claims under 35 U.S.C. §103(a) over Thaller, Cowman and Matsui set forth at pages 7-9 of the Office Action are respectfully traversed. The cited references, alone or in any combination, suggest that decreasing expression of *ushA* gene and *aphA* gene by mutating or disrupting the *ushA* gene and the *aphA* gene substantially eliminates the 5'-nucleotidase activity in the periplasm, as claimed. This effect is shown at page 31 of the specification. That result would not have been predicted from the cited references and establishes the patentability of the claimed method. Accordingly, withdrawal of this ground of rejection is respectfully requested.

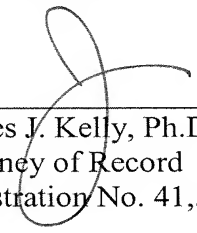
The rejection of the claims under 35 U.S.C. §112 is believed to be obviated by the amendment submitted above. Accordingly, withdrawal of this ground of rejection is respectfully requested.

Application No. 10/798,339
Reply to Office Action of February 13, 2007

Applicants submit that the present application is in condition for allowance. Early notice to this effect is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



James J. Kelly, Ph.D.
Attorney of Record
Registration No. 41,504

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)